

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
CIVIL MINUTES—
GENERAL

Case No. 5:24-cv-01848-SSS-DTBx

Date February 18, 2025

Title *Rodrigo Avalos Torres v. County of Riverside, et al.*

Present: The Honorable

SUNSHINE S. SYKES, UNITED STATES DISTRICT JUDGE

Irene Vazquez

Not Reported

Deputy Clerk

Court Reporter

Attorney(s) Present for Plaintiff(s):

Attorney(s) Present for Defendant(s):

None Present

None Present

**Proceedings: (IN CHAMBERS) ORDER TO SHOW CAUSE RE
DISMISSAL FOR LACK OF PROSECUTION**

On January 6, 2025, the Court granted in part and denied in part Defendants' unopposed Motion to Dismiss Plaintiff's Complaint. [Dkt. 12]. The Court dismissed without prejudice three federal constitutional claims and ordered Plaintiff to file an amended complaint by January 24, 2025. [*Id.* at 6]. Plaintiff did not file an amended complaint.

On February 6, 2025, the Court issued an Order to Show Cause why this case should not be remanded for lack of subject matter jurisdiction over Plaintiff's sole surviving negligence claim. [Dkt. 13]. The Court instructed the parties to respond by noon on February 12, 2025, and warned parties that failure to respond may result in dismissal of this action. [*Id.*]. As of the date of this Order, Plaintiff has failed to respond. Defendants, however, did respond and indicated Plaintiff's abandonment of this case. [Dkt. 16].

Accordingly, the Court **VACATES** the Order to Show Cause regarding remand because remand is futile if Plaintiff continues to not participate in this litigation. [Dkt. 13]. The Court **ORDERS** Plaintiff to show cause in writing **by noon on February 28, 2025** why this action should not be dismissed for his failure

to prosecute this case. Plaintiff is **DIRECTED** to inform the Court of his plan to litigate this case. If Plaintiff fails to respond, or provides an inadequate response, the Court will dismiss this action in its entirety with prejudice.

IT IS SO ORDERED.